

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

SIERRA CLUB, and the  
CARMEL RIVER STEELHEAD ASSOCIATION

Plaintiffs,

v.

CALIFORNIA AMERICAN WATER  
COMPANY, d/b/a CALIFORNIA AMERICAN  
WATER,

Defendant,

GARY LOCKE, SECRETARY OF THE UNITED  
STATES DEPARTMENT OF COMMERCE, DR.  
JANE LUBCHENKO, ADMINISTRATOR of the  
NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION, and RODNEY McINNIS,  
REGIONAL ADMINISTRATOR, SOUTHWEST  
REGION, NATIONAL MARINE FISHERIES  
SERVICE,

Named as FRCP 19(a)  
Necessary Party Defendants.

Case Number C 09-2870 JF

**JUDGMENT<sup>1</sup>**

Re. docket no. 21

<sup>1</sup> This disposition is not designated for publication in the official reports.

1 Defendant's motion to dismiss having been granted without leave to amend, IT IS  
2 ORDERED AND ADJUDGED that the action be dismissed on the merits.

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4 **IT IS SO ORDERED.**

5 DATED: 1/8/09

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7 JEREMY FOGEL  
8 United States District Judge  
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